

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**EDWARD ALLEN RIDER and  
BRENNON MOORHEAD,**

**Plaintiffs,**

**vs.**

**No. 15-cv-0581 GBW/SMV**

**BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF LINCOLN,  
BRACK RAINS, MATT CHRISTIAN,  
and ROBERT SHEPPERD,<sup>1</sup>**

**Defendants.**

**ORDER TO SHOW CAUSE**

THIS MATTER is before the Court sua sponte. Plaintiffs' counsel, William C. Nedbalek, has failed appear at a telephonic status conference scheduled for December 15, 2015, at 1:30 p.m. [Docs. 16, 17]. Mr. Nedbalek is ordered to show cause why he should not be sanctioned for his failure appear.

On November 25, 2015, the Court issued an Order Setting Telephonic Status Conference for December 9, 2015. [Doc. 16]. On December 9, 2015, a second order was issued resetting the conference to December 15, 2015. [Doc. 17]. As a courtesy, chambers staff contacted both counsel by telephone to alert them to the change. The second order directed counsel to call Judge Vidmar's "Meet Me" line on December 15, 2015, at 1:30 p.m. The CM/ECF receipt indicates that the Order was delivered to Plaintiff's counsel, Mr. Nedbalek, via email.

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<sup>1</sup> On July 21, 2015, Plaintiffs filed a First Amended Complaint that no longer included Robert Shepperd as a Defendant. [Doc. 7]. On October 21, 2015, Plaintiffs filed a Second Amended Complaint that similarly did not name Robert Shepperd as a Defendant. [Doc. 14].

Nevertheless, Mr. Nedbalek failed to appear on behalf of Plaintiffs, and the status conference could not proceed.

**IT IS THEREFORE ORDERED** that no later than **Thursday, December 24, 2015, by 5:00 p.m.**, attorney William C. Nedbalek shall show cause, in writing, why he should not be sanctioned for his failure to appear at the telephonic status conference set for December 15, 2015.

**IT IS SO ORDERED.**



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**STEPHAN M. VIDMAR**  
United States Magistrate Judge